

CHAPTER: IV APPLICATION	SECTION: 7 SUBSTANCE ABUSE	COMAR: 07.03.03.04
-----------------------------------	--------------------------------------	------------------------------

REQUIREMENTS

- A. Adult and minor parents in an assistance unit are subject to substance abuse requirements when eligibility is determined, which includes:
1. Answering questions that screen for substance abuse at the local department
 2. Signing a substance abuse consent for release of information form at the local department
 3. Participating in a more comprehensive assessment if substance abuse is indicated in the screening
 4. Enrolling in and maintaining attendance in a treatment program, if abuse is indicated
- B. Case manager using **DHR/FIA-1177** form refer to the addiction specialist all the following individuals in the assistance unit for substance abuse screening as part of the assessment during the application process
1. Adults
 2. Minor parents, regardless of age, including those who are:
 - Heads of household
 - Children
- Note:** Do not apply substance abuse sanctions to non-parent caretaker relatives in the assistance unit.
- C. Require each individual who is screened to sign the **DHR/FIA-1176 “Consent for the Release of Confidential Alcohol and Drug Treatment Information”**
1. This form gives the Managed Care Organization (MCO), Primary Care Providers (PCP), Behavioral Health Organization and Treatment Providers authority to release substance abuse information from the individual’s medical record
 2. The form is signed at initial application
 - It remains valid as long as the case is active
 - New forms must be signed if the case closes and re-opens
 3. Keep the original in the case record, the addiction specialist forwards a copy to an assessor and when appropriate to a treatment provider

CHAPTER: IV APPLICATION	SECTION: 7 SUBSTANCE ABUSE	COMAR: 07.03.03.04
-----------------------------------	--------------------------------------	------------------------------

- D. After initial application, using the **DHR/FIA-1177** form refer to the addiction specialist for substance abuse screening, signing of the **DHR/FIA-1176**
1. An adult that has not been screened enters the home and is added to the assistance unit.
 2. A minor parent who has not been screened enters the home, or
 3. A child in the unit becomes a minor parent
- E. While the individual is in treatment, the local department case manager:
1. Keeps the individual in the assistance unit as long as he/she is actively enrolled and complies with the program
 2. Authorizes normal certification periods with interim follow-up appointments every 4 months

PENALTIES

- A. Impose the following penalties if the individual is non-cooperative and refuses to sign the **DHR/FIA-1176**:
1. Deny the case if the adult or minor parent head of household fails to sign
 - Applies if either parent in a two-parent family refuses to sign
 2. Do not include the individual's needs in the benefit amount if the minor parent, who is a child in the assistance unit, fails to sign

Note: The same penalties apply if an individual, who was not previously screened, becomes subject to the provisions and refuses to sign.

- B. Impose an individual sanction for non-cooperation if the individual fails to participate in:
1. A more comprehensive assessment, or
 2. Treatment
- C. If the case is active, before applying a sanction:
1. Initiate the 30-day conciliation period if it is the first instance of non-compliance

CHAPTER: IV APPLICATION	SECTION: 7 SUBSTANCE ABUSE	COMAR: 07.03.03.04
-----------------------------------	--------------------------------------	------------------------------

2. Investigate reasons for non-compliance in all instances
- D. Assign a protective payee if the sanctioned individual is head of household
- E. Make a referral to Social Services if the individual is sanctioned for failure or refusal to participate

SUBSTANCE ABUSE SCREENING

- A. During the application refer all adults and minor parents to the addiction specialist to assess if there may be a problem with substance abuse
- B. Require adults and minor parent heads of household to participate in a face-to-face interview
- C. Minor parents who are not head of household and attend school full-time may be excused from the face-to-face interview if the local department:
 1. Includes the screening questions in the family responsibility plan, which is signed by the minor parent, and
 2. Has the minor parent sign the **DHR/FIA-1176**
 3. Informs the minor parent of the substance abuse requirements and penalties
- D. The addiction specialist will use screening instruments approved by the addictions agency
- E. If the screening questions indicate that there is substance abuse, the individual self identifies and requests a referral for treatment or is already in treatment, or there are other indications:
 1. The addiction specialist conducts or refers the individual for a comprehensive assessment
 - Individuals who are not enrolled in an MCO are referred to local county assessors
 - Forward the original of the **DHR/FIA-1176** and **DHR/FIA-1177** to the case manager to be maintained in the case record and when appropriate send a copy of the **DHR/FIA 1176** to the assessor or treatment provider
 2. If the individual is in an emergency situation, such as pregnancy, or requests an immediate referral:

CHAPTER: IV APPLICATION	SECTION: 7 SUBSTANCE ABUSE	COMAR: 07.03.03.04
-----------------------------------	--------------------------------------	------------------------------

- Contact the person authorized to schedule emergency appointments if the individual is in an MCO or the treatment provider the individual request to be referred to
 - Contact the Alcohol and Drug Abuse Administration County Coordinator to find a treatment provider if the individual is not yet MA approved and in an MCO
3. The addiction specialist determines with treatment provider if work activities are appropriate
 4. If otherwise eligible, give the family a normal certification period, and make interim appointments every 4 months to follow-up with the treatment referral

LOCAL DEPARTMENT / TREATMENT PROVIDER INTERACTION

A. The case manager:

1. informs each person screened about the requirements and penalties
2. Completes a **DHR/FIA –1177** to refer all adults and minor parents in the assistance unit for substance abuse screening with the addiction specialist
3. Collaborate with customer and addiction specialist on customers Independence Plan when substance abuse is indicated
4. Denies the case or individual (as stated in Penalties) for refusal to sign **DHR/FIA -1176**
5. Sanction case when individual fails to comply when in treatment

B. The Addiction Specialist:

1. Screens each adult parent and minor parent
2. Obtains a signed **DHR/FIA-1176** from each person
3. Completes a **DHR/FIA-1177** indicating results of the screening of each person
4. Sends a copy of the **DHR/FIA-1176** and, **DHR/FIA-1177** to the case manager
5. Send a copy of the **DHR/FIA1176** and **DHR/FIA -1178** to the treatment provider
6. Confer with treatment provider on status of individual
7. Notify case manager via the **DHR/FIA-1178** when individual is not in compliance

CHAPTER: IV APPLICATION	SECTION: 7 SUBSTANCE ABUSE	COMAR: 07.03.03.04
-----------------------------------	--------------------------------------	------------------------------

8. Notify case manager when individual is able to work
 9. Receives information from the treatment providers via the **DHR/FIA – 1178-Substance Abuse Identification and Treatment Notification**
- A. The Treatment Provider:
1. Receives the **1178** referral and the **1176** consent forms
 2. Completes a copy of the **1178** within 30 days if the individual:
 - Failed to schedule or keep the initial appointment for treatment
 - Is awaiting an available vacancy
 - Is enrolled in a treatment program
 - Is not maintaining active attendance in the treatment program
 - Has successfully completed treatment
 3. Forwards the **1178** to the addiction specialist
 4. An **1178** can be completed several times for an individual as that person moves through the stages in the process
- B. The local department case manager as part of the recertification process:
1. Verifies, according to local procedure, the treatment status through the addiction specialist for each individual in a treatment program
 - If otherwise eligible and in compliance with treatment, recertifies and sets up a 4-month follow-up appointment
 - If the individual is not in compliance, follows conciliation and sanction procedures

VERIFICATION

- No verification is needed except for that contained on the **1178**

CASE MANAGEMENT TIPS

- A. Substance abuse treatment can be a work activity
1. Participating in substance abuse treatment is a countable activity, as Job Search/Job Readiness for both the federal work participation rate (if the required hours are met) and without regards to hours the 24-month work requirement. Record in WOMIS using the JBT, Job Readiness Treatment, and activity code.

CHAPTER: IV APPLICATION	SECTION: 7 SUBSTANCE ABUSE	COMAR: 07.03.03.04
-----------------------------------	--------------------------------------	------------------------------

2. The addiction specialist and case manager work together with the customer to ensure that the individual's Independence Plan is consistent with the recommended substance abuse treatment plan
 3. When the 1177 indicates the individual screened positive, acknowledged a substance abuse problem, or is currently in treatment at application, do not refer the individual for up-front job search until an 1178 is received concerning work readiness
 4. If the individual does not comply with substance abuse treatment, the individual substance abuse sanction takes precedence
 5. The individual would have to be placed in and be non-compliant with another work activity for regular work sanctions to be imposed
- B. Give follow-up appointments every 4 months to cases with individuals that:
1. Screen positive at the local department
 2. Are self declared
 3. Indicate abuse at the initial interview
 4. Are referred for treatment
 5. Are enrolled in treatment
- C. The 4-month follow-up appointments continue until treatment is successfully completed or the local department is notified by the addiction specialist that the individual no longer has a substance abuse problem

EXAMPLES

- Example 1. Mary Smith receives assistance for herself and her 3 sons. She signed the **Form1176**. There were no substance abuse problems. Joseph Jones, father of the children, moves into the home and refuses to sign the **1176**.
- Initiate the conciliation process
 - Send a notice of adverse action if conciliation is not successful and he still refuses to sign
 - Close the case at the end of the adverse action period
- Example 2. During recertification, the case manager learns that Ms. Lawson's 14-year-old daughter, Sally, has had a baby girl. Sally refuses to sign the **1176** even after the conciliation period. She is attending school full-time.
- Remove Sally's needs from the assistance unit

CHAPTER: IV APPLICATION	SECTION: 7 SUBSTANCE ABUSE	COMAR: 07.03.03.04
-----------------------------------	--------------------------------------	------------------------------

- Include phantom income equal to Sally's needs in the food stamp case

Example 3. Molly Mason applies for assistance for herself and her minor nephews. She states that she has a drug problem and wants help. Ms. Mason is referred to a treatment program, but soon checks herself out.

- Do not impose a sanction because Ms. Mason is a non-parent caretaker relative
- A service referral may be appropriate

Example 4. Nora Nelson applies for assistance for herself, daughter Nancy, age 16, and Nancy's 6-month old son.

- Nora and Nancy are screened at the local department
- Nora and Nancy each sign a **1176**

Both Nora and Nancy are referred to a treatment for a comprehensive assessment. Nancy attends, but Nora continuously has excuses and still has not complied after conciliation

- Nora's needs are removed from the grant
- Phantom income is used for food stamp eligibility
- Nora must assign a representative payee

After 3 months, Nancy feels overwhelmed by parenthood and moves out of the house, but leaves her son with Nora

- Nora is no longer subject to sanction since she is now a non-parent caretaker relative

Example 5. Melanie Melrose received assistance for herself and 3 children. She signed the **1176**. Ms. Melrose's case was subsequently closed effective March because she did not participate in her work activity. The case was re-opened in April, the first non-check month, when she began participating. Full benefits were issued for April

- A new **1176** must be signed since the case closed and reopened
- A referral to the addiction specialist is required for screening

ADDITIONAL INFORMATION

- Sanctions – Substance Abuse
- Work and Education – Basic Requirements
- Assistance Unit - Minor Parent